UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,293	07/23/2001	Sanghoon Sull		2894

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EXAMINER
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ART UNIT	PAPER NUMBER
2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	09/911,293	SULL ET AL.
Office Action Summary	Examiner	Art Unit	
	AMELIA RUTLEDGE	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 September 2008</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>107-116</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>107-116</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the following communications: Amendment, filed

09/24/2008; Request for Continued Examination, filed 09/24/2008.

2.   Claims 107-116 are pending. Claims 107 and 112 are independent claims.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

09/24/2008 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 107-109 are rejected under 35 U.S.C. 102(e) as being anticipated by

Jain et al. ("Jain"), U.S. Patent No. 6,567,980 B1, issued May 2003.

Regarding independent claim 107, Jain discloses *a method of generating a multimedia bookmark for a position selected within a multimedia file of a multimedia content, comprising: generating position information identifying a selected position within said multimedia file*; because Jain discloses a multimedia cataloger which allows indexing of video, i.e., multimedia files, with the addition of metadata that becomes a frame accurate index that provides immediate, non-linear access to any segment of the video (col. 2, l. 6-39). Jain teaches creating metadata tracks which are a parcel of metadata spanning a time period, such as key frame tracks, and Jain teaches user defined metadata clip tracks (col. 6, l. 43-col. 7, l. 12), compare to generating position information identifying a selected position within the multimedia file.

Jain discloses *generating a title or image representing said selected position*; because Jain discloses generating a display of the metadata, including an image of the keyframe representing the track (col. 13, l. 11-col. 14, l. 6).

Jain discloses *linking said title or image and said position information to stored profile information for said multimedia file and variations of said multimedia content,* because Jain discloses that the keyframe image contains the keyframe time code information used to invoke video playback (col. 13, l. 50-60; col. 13, l. 11-32).

Jain discloses *wherein said profile information includes an offset and a scale of each of a plurality of multimedia files containing said content with respect to a master file of said multimedia content,* because Jain discloses recording time offsets for each metadata item, which are scaled to an absolute time and a delta time in respect to the master file of multimedia content (col. 5, l. 15-col. 6, l. 40).

Regarding dependent claim 108, Jain teaches *prior to said generating position information: selecting a multimedia file; playing said selected multimedia file; and invoking an add-bookmark command;* because Jain teaches that during metadata capture, the user may mark video clips and annotate them (col. 8, l. 50-col. 9, l. 21).

Regarding dependent claim 109, Jain teaches *wherein said linking includes linking to an offset table containing offset values for cases where frame skipping occurs*, because Jain teaches that the video cataloger software stores each start time of the marked video clip; and Jain further teaches that each keyframe is time stamped (col. 5, l. 16-col. 8, l. 21; especially see col. 7, l. 15-45, and Table 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 112 and 114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain.

Regarding independent claim 112, Jain teaches *a method of locating a playback position in a multimedia playback file based on a multimedia bookmark generated in connection with a bookmarked multimedia file, said method comprising: selecting a multimedia file, referred to as a playback file;* because Jain discloses a multimedia cataloger which allows indexing of video, i.e., multimedia files, with the

addition of metadata that becomes a frame accurate index that provides immediate, non-linear access to any segment of the video (col. 2, l. 6-39). Jain teaches creating metadata tracks which are a parcel of metadata spanning a time period, such as key frame tracks, and Jain teaches user defined metadata clip tracks (col. 6, l. 43-col. 7, l. 12).

Jain teaches *invoking a multimedia bookmark from which a bookmarked position can be determined, additionally, by using said multimedia bookmark, enabling access to an offset and a scale for each of said playback file and said bookmarked multimedia file from which said multimedia bookmark was generated*; because Jain discloses recording time offsets for each metadata item, which are scaled to an absolute time and a delta time in respect to the master file of multimedia content (col. 5, l. 15-col. 6, l. 40). Jain teaches that the video cataloger software stores each start time of the marked video clip; and Jain further teaches that each keyframe is time stamped (col. 5, l. 16-col. 8, l. 21; especially see col. 7, l. 15-45, and Table 1).

Jain teaches *determining a time scale ratio from said scale for said playback file and said scale for said bookmarked file;* because Jain discloses recording time offsets for each metadata item, which are scaled to an absolute time and a delta time in respect to the master file of multimedia content (col. 5, l. 15-col. 6, l. 40). Jain teaches that the video cataloger software stores each start time of the marked video clip; and Jain further teaches that each keyframe is time stamped (col. 5, l. 16-col. 8, l. 21; especially see col. 7, l. 15-45, and Table 1).

Jain implies, but does not explicitly teach *calculating a playback position based on said bookmarked position, said time scale ratio, said offset for said playback file, and said offset for said bookmarked file*, because Jain teaches recording time offsets for each metadata item, which are scaled to an absolute time and a delta time in respect to the master file of multimedia content (col. 5, l. 15-col. 6, l. 40).

While Jain does not explicitly teach *calculating a playback position based on said bookmarked position*, Jain teaches a timeline, a panel to display the live video, columns displaying the in and out time codes for the marked clip, and the currently selected range of keyframes, and using the interface for playing back the video based on the bookmarked position (col. 4, l. 20-40; col. 2, l. 5-40). Therefore it would be obvious to calculate a playback position based on said bookmarked position, since Jain discloses that the bookmarks, i.e., metadata clips, are set, marked and retrieved using time codes.

Regarding dependent claim 114, Jain teaches *wherein said enabling access includes enabling access to an offset table containing offset values for cases where frame skipping occurs*; because Jain teaches that the video cataloger software stores each start time of the marked video clip; and Jain further teaches that each keyframe is time stamped (col. 5, l. 16-col. 8, l. 21; especially see col. 7, l. 15-45, and Table 1).

Claims 110, 111, 115 and 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain in view of Duffy et al. ("Duffy"), U.S. Patent No. 5,758,180, issued May 1998.

Regarding dependent claim 110, Jain does not explicitly teach *computing the offset values stored in said offset table by: choosing a referential segment; aligning the start position of said referential segment in a master file with the start position of said referential segment in a slave file; and computing the difference in start times*; however, Duffy teaches methods of editing video using referential segments and aligning the start position of the referential segment with the start positions in different media tracks, such as master and slave file (col. 9, l. 20-col. 11, l. 48).

Both Jain and Duffy are directed to editing video and multimedia. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the video cataloger software and indexing system disclosed by Jain with the re-edit function disclosed by Duffy which moves nearby video blocks forward or backward along a timeline to accommodate the re-edit made (Duffy, col. 1, l. 50-col. 2, l. 3), since Jain disclosed that the invention could be used to quickly and efficiently deploy media assets for film production (Jain, col. 1, l. 54-col. 2, l. 3), and Duffy disclosed a video editing application for manipulating media assets. Further, both the indexing disclosed by Jain and the editing method disclosed by Duffy were known techniques which could have been used to improve similar methods, i.e., video editing, in the same way (*KSR*).

Regarding dependent claim 111, Jain does not explicitly teach *wherein said choosing a referential segment includes using video matching techniques to locate a segment in a video bounded by two specific boundaries*; however, Duffy discloses using video matching techniques to locate the referential segment in the video track (col. 9, l. 20-col. 11, l. 48).

Both Jain and Duffy are directed to editing video and multimedia. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the video cataloger software and indexing system disclosed by Jain with the re-edit function disclosed by Duffy which moves nearby video blocks forward or backward along a timeline to accommodate the re-edit made (Duffy, col. 1, l. 50-col. 2, l. 3), since Jain disclosed that the invention could be used to quickly and efficiently deploy media assets for film production (Jain, col. 1, l. 54-col. 2, l. 3), and Duffy disclosed a video editing application for manipulating media assets. Further, both the indexing disclosed by Jain and the editing method disclosed by Duffy were known techniques which could have been used to improve similar methods, i.e., video editing, in the same way (*KSR*).

Regarding dependent claim 115, Jain does not explicitly teach *computing the offset values stored in said offset table by: choosing a referential segment; aligning the start position of said referential segment in a master file with the start position of said referential segment in a slave file; and computing the difference in start times*; however, Duffy teaches methods of editing video using referential segments and aligning the start position of the referential segment with the start positions in different media tracks, such as master and slave file (col. 9, l. 20-col. 11, l. 48).

Both Jain and Duffy are directed to editing video and multimedia. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the video cataloger software and indexing system disclosed by Jain with the re-edit function disclosed by Duffy which moves nearby video blocks forward or backward along a timeline to accommodate the re-edit made (Duffy, col. 1, l. 50-col. 2, l. 3), since Jain

disclosed that the invention could be used to quickly and efficiently deploy media assets for film production (Jain, col. 1, l. 54-col. 2, l. 3), and Duffy disclosed a video editing application for manipulating media assets. Further, both the indexing disclosed by Jain and the editing method disclosed by Duffy were known techniques which could have been used to improve similar methods, i.e., video editing, in the same way (*KSR*).

Regarding dependent claim 116, Jain does not explicitly teach *wherein said choosing a referential segment includes using video matching techniques to locate a segment in a video bounded by two specific boundaries*, however, Duffy discloses using video matching techniques to locate the referential segment in the video track (col. 9, l. 20-col. 11, l. 48).

Both Jain and Duffy are directed to editing video and multimedia. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the video cataloger software and indexing system disclosed by Jain with the re-edit function disclosed by Duffy which moves nearby video blocks forward or backward along a timeline to accommodate the re-edit made (Duffy, col. 1, l. 50-col. 2, l. 3), since Jain disclosed that the invention could be used to quickly and efficiently deploy media assets for film production (Jain, col. 1, l. 54-col. 2, l. 3), and Duffy disclosed a video editing application for manipulating media assets. Further, both the indexing disclosed by Jain and the editing method disclosed by Duffy were known techniques which could have been used to improve similar methods, i.e., video editing, in the same way (*KSR*).

Allowable Subject Matter

Claim 113 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Claims 107-116 are newly presented and all previously pending claims have been canceled; applicant has not set forth arguments for claims 107-116.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sturgeon et al.	**U.S. Patent No. 6,429,879 B1**	**issued**	**August 2002**
Hubbell et al.	**U.S. Patent No. 5,966,121**	**issued**	**October 1999**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMELIA RUTLEDGE whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amelia Rutledge/
Examiner, Art Unit 2176